

REMARKS

By the above amendment, Claim 18 has been amended to overcome the claim objection and the claim rejection under 35 U.S.C. §112. Claims 18-22 are currently pending. No new matter has been introduced by way of the amendments. Favorable reconsideration of this application is respectfully requested in view of the amendment above and the following remarks.

Claim Rejection Under 35 U.S.C. §112

Claim 18 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite because there was insufficient antecedent basis for the term "the linefeed rollers" in line 9. Claim 18 has been amended to replace the objected term with a term that has proper antecedent. As such, withdrawal of this rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §102

The test for determining if a reference anticipates a claim, for the purpose of a rejection under 35 U.S.C. §102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. §102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 18-22 are rejected under U.S.C. §102(e) as being anticipated by US Patent Publication 2006/0164491 ("Sakuma"). This rejection is respectfully traversed.

Claim 18 recites an inkjet printer in which "the printhead is positioned downstream from the linefeed-roller assembly along the simplex media path but upstream from the output roller assembly." In other words, the output-roller assembly is "downstream" from the printhead along the simplex media path. Claim 18 further recites "a duplex path entry that is positioned adjacent to the output-roller assembly but downstream from the printhead so as to enable a trailing edge of the media sheet to enter the duplex media path" (emphasis added).

The Examiner alleges that Sakuma discloses all of the elements of claim 18. Initially, the Examiner asserts that Sakuma discloses a "printhead" (4) that is positioned downstream from the "linefeed roller assembly" (including 13 and 27) but upstream from the "output roller assembly" (elements 42 and 43, or alternatively, element 28). Subsequently, the Examiner asserts that Sakuma further discloses "a duplex path entry (near 25) is positioned adjacent to the output roller assembly (elements 42 and 43, or alternatively, element 28) but downstream (i.e. downstream in the reverse feeding direction to the left in Fig. 1) from the printhead (4)." However, these assertions are contradictory. If rollers 42, 43 and 28 are considered "downstream" from the recording head/printhead 4 along the simplex path, then the entrance to the duplex unit 51, which is positioned on the other side of the recording head 4, cannot be considered also "downstream" from the recording head 4 along the same path. In addition, the duplex entry (near roller 25) is not adjacent to the ejection rollers 42, 43 (or the tension roller 28). Instead, the recording head 4 is positioned between the duplex entry and the ejection rollers 42, 43. Hence, contrary to what has been asserted by the Examiner, Sakuma does not disclose a duplex path with the duplex path entry as recited in claim 18.

Sakuma discloses a duplex system in which "the duplex paper feed unit 51 receives (captures) the sheet of paper 12 conveyed in the direction opposite to the belt conveying direction (in the Y1 direction in FIG. 1) by the reverse rotation of the conveying belt 21" (page 5, paragraph 66). This point of entry to the duplex path is far away from the ejection rollers (42, 43). As such, the duplex path in Sakuma's apparatus is not the same as that recited in claim 18. In fact, Sakuma's duplex system is similar to the conventional duplex system shown in FIG. 1 of Applicants' specification. As discussed in the background section of the present application, the conventional duplex system shown in FIG. 1 suffers from not being able to print all the way to the trailing edge (page 2, first paragraph, of Applicants' specification).

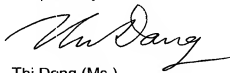
Because Sakuma fails to disclose each and every element recited in claim 18, Sakuma cannot anticipate claim 18. Accordingly claim 18 is allowable over Sakuma. Claims 19-22, which depend on claim 18, are also allowable over Sakuma at least by virtue of their dependency.

Conclusion

For the foregoing reasons, withdrawal of the rejections of record is respectfully requested and allowance of the present application is earnestly solicited.

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Respectfully submitted,



Thi Dang (Ms.)

Attorney for Applicants

Reg. No.: 53,877

Tel. No.: (202) 378-2572

Please send all correspondence to:
Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400